

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

FERMIN CORTEZ, et al.,	)	
	)	
Plaintiffs,	)	8:08CV90
	)	
and	)	
	)	
DAVID CHUOL, et al.,	)	
	)	
Plaintiffs,	)	8:08CV99
	)	
vs.	)	
	)	
NEBRASKA BEEF, LTD. and	)	ORDER
NEBRASKA BEEF, INC.,	)	
	)	
Defendants.	)	

This matter is before the court sua sponte.

On June 12, 2008, the court entered an order consolidating these two cases for all purposes. See [Filing No. 20](#), in case 8:08CV90. In the June 12, 2008 order the court stated that any future filings should contain the consolidated case caption and “only be filed in the earlier filed action *Fermin Cortez, et al. v. Nebraska Beef, Ltd.*, Case No. 8:08CV90.” Subsequently, filings were still filed in one or the other, or both cases without consistency. Further, it has come to the court’s attention counsel may not have received certain documents which were filed in only one case or the other. Accordingly,

**IT IS ORDERED:**

1. Case No. 8:08CV90 is hereby designated as the “Lead Case.” Case No. 8:08CV99 is hereby designated as the “Member Case.”
2. The court’s CM/ECF System has the capacity for “spreading” text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in all Member Cases. To this end, the parties are instructed to file all further documents (except those described in paragraph 3) in the Lead Case, No.

8:08CV90, and to select the option “yes” in response to the System’s question whether to spread the text.

3. The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.

4. If a party believes that an item in addition to those described in paragraph 3 should not be filed in the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion must be filed in all the consolidated cases using the spread text feature.

5. No previously filed document should be re-filed solely to comply with this order, however counsel for each party is responsible for reviewing the case filings in both cases to date.

DATED this 10th day of March, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge